

# EXHIBIT A

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STATE OF NEW YORK, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
COMMERCE, *et al.*,

Defendants.

18-CV-2921 (JMF)

**DECLARATION OF JOHN GORE**

I, John Gore, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I am the Acting Assistant Attorney General for Civil Rights. As the Acting Assistant Attorney General, I am the senior management official of the Civil Rights Division. As a part of my official duties, I am responsible for the overall supervision of the Division's enforcement of the federal statutes and regulations that fall within the Division's mission, including the Voting Rights Act of 1965. I report directly to the Acting Associate Attorney General. The following statements are based upon my personal knowledge or on information supplied to me in the course of my professional responsibilities. These statements are provided in support of the Department of Justice's (DOJ) assertion of the deliberative process privilege over a document in the above-captioned case.

2. Based upon my review and personal consideration of the document, I hereby formally assert the deliberative process privilege on behalf of DOJ for document DOJ 15197.

3. DOJ 15197 is a handwritten note provided to me soon after September 22, 2017, by James Uthmeier, an attorney in the Office of General Counsel at the Department of Commerce. This note was accompanied by a memorandum that also was prepared by Mr. Uthmeier.

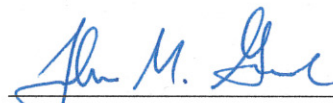
4. DOJ 15197 constitutes part of DOJ's deliberative process concerning whether to request that the Census Bureau reinstate a citizenship question on the decennial census. The note, which contains deliberative material, was provided to me in advance of DOJ's December 12, 2017 final decision to make such a request, and was considered by DOJ in making that determination. DOJ is responsible for policymaking in a variety of areas, including law enforcement and, as applicable here, enforcement of the Voting Rights Act. In order to effectively carry out these important responsibilities, DOJ at times relies on intra-agency information and opinions. Disclosure of this sensitive intra-agency material would discourage open and candid communication and would chill DOJ's policymaking process. These concerns are especially heightened in highly controversial areas where, as this litigation demonstrates, an intense degree of scrutiny by the public would ultimately be aimed at inputs from other agencies.

5. DOJ 15197 was also provided to me in service of my role providing legal advice to the Attorney General of the United States, and James Uthmeier's role providing legal advice to Secretary Ross. The note contained preliminary legal analysis, sought my legal advice, and also was sent to me in service of my and Mr. Uthmeier's common interest in advising our agencies concerning the possibility of reinstating a citizenship question on the 2020 Census, and in enabling the Department of Commerce, as an agency of the United States, to complete its duties in a lawful fashion. The information in the note was intended to be kept confidential, and was, in fact, kept

confidential.

I declare under penalty of perjury that the foregoing is true and correct.

Washington, DC  
October 30, 2018

  
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John Gore  
Acting Assistant Attorney General  
United States Department of Justice